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DEC 06 2004

OFFICE OF PETITIONS

In re Application of  
Eugene Michael Breznovk, et al.  
Application No. 09/938,428  
Filed: August 23, 2001  
Attorney Docket No: None

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b) to revive the above-identified application, filed October 5, 2004.

The petition is GRANTED.

The application became abandoned for failure to pay the issue fee on or before September 3 2004. Receipt is acknowledged of the requisite issue fee on October 5, 2004, using a Certificate of Mailing or Transmission under 37 CFR 1.8 dated September 30, 2004.

It is noted that a Notice to Pay Balance of Issue Fee was mailed November 22, 2004. However, the notice was mailed in error since the issue fee was paid using a certificate of mailing or transmission under 37 CFR 1.8 dated before the effective date of the fee increase.

The application is being forwarded to Publishing Division.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3204. Telephone inquiries related to processing at Publishing Division should be directed to (703) 305-8283.

Sherry D. Brinkley  
Petitions Examiner  
Office of Petitions  
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for Patent Examination Policy